



State of Utah

Department of
Environmental Quality

Richard W. Sprott
Executive Director

DIVISION OF AIR QUALITY
Cheryl Heying
Director

JON M. HUNTSMAN, JR.
Governor

GARY HERBERT
Lieutenant Governor

DAQ-077-07

MEMORANDUM

TO: Air Quality Board

THROUGH: Cheryl Heying, Executive Secretary

FROM: Mat Carlile, Environmental Planning Consultant

DATE: November 1, 2007

SUBJECT: PROPOSE FOR PUBLIC COMMENT: Amend R307-101. General Requirements; R307-115. General Conformity; R307-170-7. Performance Specification Audits; R307-221. Emission Standards: Emission Controls for Existing Municipal Solid Waste Landfills; R307-222. Emission Standards: Existing Incinerators for Hospital, Medical, Infectious Waste; R307-223. Emission Standards: Existing Small Municipal Waste Combustion Units; R307-224. Mercury Emission Standards: Coal-Fired Electric Generating Units; R307-310. Salt Lake County: Trading of Emission Budgets for Transportation Conformity; R307-417. Permits: Acid Rain Sources; and R307-801. Asbestos; R307-840. Lead-Based Paint Accreditation, Certification and Work Practice Standards. Delete R307-215 Emission Standards: Acid Rain Requirements.

Background

Incorporation by reference is a legal tool that allows an agency to adopt a rule that has been adopted by another agency and make it enforceable. The Rulemaking Act permits agencies to incorporate certain types of materials by reference, and the governor has instructed agencies to incorporate by reference where appropriate.

There are several advantages of incorporating materials by reference, including eliminating error that may be introduced when material is transcribed, encouraging consistency in the state's implementation of the external requirements, simplifying updates, and eliminating the expense of publishing material that is already publicly available elsewhere. For these reasons, several portions of the Title 40 of the Code of

Federal Regulation (40 CFR) have been incorporated throughout the rules of the Air Quality Board.

One of the legal requirements to incorporate material by reference is to specify the date, issue, or version of the material being incorporated. Under state law, only the version of the underlying regulation that was incorporated by reference is applicable in Utah. The only way to make revisions to the underlying regulation applicable in Utah is to revise the date of the referenced version incorporated into Utah rules.

Problem

As the rules currently exist, each place where a portion of 40 CFR is incorporated by reference includes the date of the version of 40 CFR that is incorporated. Currently, there are more than 50 places in R307 where a portion of 40 CFR is incorporated by reference. Due to the time-consuming process to revise each rule, staff has usually not asked the Board to update the reference to the version incorporated unless there was a significant change in 40 CFR.

Consequently, the date of the version of 40 CFR referenced in several rules has not been updated for many years. For example, the version of 40 CFR incorporated by reference in R307-115, *General Conformity*, has not been updated since 1994. If the date of the version of 40 CFR is not updated regularly, regulated entities may be subject to one version of a federal regulation under R307, as well as the most current version contained in 40 CFR.

Summary of Proposal

To address this issue, we are proposing to create a new subsection, R307-101-3, *Version of Code of Federal Regulations Incorporated by Reference*, that will contain the date of the version of 40 CFR incorporated throughout the rules of the Board. This will allow the Board to change the date in one rule instead of changing each rule individually, and will decrease the administrative rulemaking paperwork. There may be cases where incorporation of an earlier version of 40 CFR is appropriate, and in those cases, the rule will identify the specific version of 40 CFR incorporated. Individual rules will still identify the specific sections of 40 CFR that are included or excluded, and R307-101-3 will be used solely to identify the most recent version of 40 CFR referenced in R307.

We plan to ask the Board annually to update the version of 40 CFR referenced in R307-101-3. At that time, we will identify the affected rules and provide a summary of the changes that have occurred in the CFR.

There have been a number of changes to 40 CFR since many portions of it were last incorporated by reference in the Utah rules. Those changes fall into three categories:

1. There were several significant changes that the Board adopted soon after they were published in the CFR. These changes include MACT standards, PSD/NSR program revisions, etc.
2. There have been some significant changes that were not appropriate to adopt, even after they were published. This includes changes that have been held up in the courts, etc., or where EPA has not developed an appropriate implementation mechanism.
3. There have been many changes that were either procedural in nature or minor modifications that included cleanup of language, citations, or cross references.

The rules generally affected by this current proposal fall into the third category above. We have provided a brief summary of the changes that have occurred in 40 CFR since the version last incorporated into R307. A copy of the proposed changes to sections of R307 and the summary table are attached.

In reviewing R307 for references to 40 CFR, we found several references to 40 CFR 75 throughout the rules, but we found that Part 75 was never actually incorporated by reference into R307. Part 75 establishes the monitoring, recordkeeping, and reporting requirements for the Acid Rain Program, and should have been incorporated by reference years ago. Therefore, we are asking the Board to adopt a change to R307-417 that incorporates 40 CFR 75 into R307. We are also asking the board to move the incorporation by reference of 40 CFR Part 76 currently in R307-215 to R307-417, so that all rules that deal with the Acid Rain program are in one rule.

Finally, in reviewing R307-101-2 we found that the version of the American Conference of Governmental Industrial Hygienists (ACGIH) "Threshold Limit Values for Chemical Substances and Physical Agents and Biological Exposure Indices" was out of date. So we decided that while R307-101 was being revised to update the 40 CFR incorporation, that we would ask the Board to also propose an update to the definition of Acute Hazardous Air Pollutant, Carcinogenic Hazardous Air Pollutant, and Chronic Hazardous Air Pollutant to reference the 2007 version of the ACGIH "Threshold Limit Values for Chemical Substances and Physical Agents and Biological Exposure Indices."

Staff Recommendation:

Staff recommends that R307-101, R307-115, R307-170-7, R307-215, R307-221, R307-222, R307-223, R307-224, R307-310, R307-417, R307-801, and R307-840 be proposed for public comment.

R307. Environmental Quality, Air Quality.
R307-101. General Requirements.

R307-101-2. Definitions.

Except where specified in individual rules, definitions in R307-101-2 are applicable to all rules adopted by the Air Quality Board.

"Acute Hazardous Air Pollutant" means any noncarcinogenic hazardous air pollutant for which a threshold limit value - ceiling (TLV-C) has been adopted by the American Conference of Governmental Industrial Hygienists (ACGIH) in its "Threshold Limit Values for Chemical Substances and Physical Agents and Biological Exposure Indices, [~~pages 15-72 (2000)~~] (2007)."

"Air Contaminant" means any particulate matter or any gas, vapor, suspended solid or any combination of them, excluding steam and water vapors (Section 19-2-102(1)).

"Air Contaminant Source" means any and all sources of emission of air contaminants whether privately or publicly owned or operated (Section 19-2-102(2)).

"Air Pollution" means the presence in the ambient air of one or more air contaminants in such quantities and duration and under conditions and circumstances, as is or tends to be injurious to human health or welfare, animal or plant life, or property, or would unreasonably interfere with the enjoyment of life or use of property as determined by the standards, rules and regulations adopted by the Air Quality Board (Section 19-2-104).

"Allowable Emissions" means the emission rate of a source calculated using the maximum rated capacity of the source (unless the source is subject to enforceable limits which restrict the operating rate, or hours of operation, or both) and the emission limitation established pursuant to R307-401-8.

"Ambient Air" means the surrounding or outside air (Section 19-2-102(4)).

"Carbon Adsorption System" means a device containing adsorbent material (e.g., activated carbon, aluminum, silica gel), an inlet and outlet for exhaust gases, and a system for the proper disposal or reuse of all VOC adsorbed.

"Carcinogenic Hazardous Air Pollutant" means any hazardous air pollutant that is classified as a known human carcinogen (A1) or suspected human carcinogen (A2) by the American Conference of Governmental Industrial Hygienists (ACGIH) in its "Threshold Limit Values for Chemical Substances and Physical Agents and Biological Exposure Indices, [~~pages 15-72 (2000)~~] (2007)."

"Chronic Hazardous Air Pollutant" means any noncarcinogenic hazardous air pollutant for which a threshold limit value - time weighted average (TLV-TWA) having no threshold limit value - ceiling (TLV-C) has been adopted by the American Conference of Governmental Industrial Hygienists (ACGIH) in its "Threshold Limit Values for Chemical Substances and Physical Agents and Biological

1 Exposure Indices, [~~pages 15—72 (2000)~~](2007)."

2 "Clean Air Act" means federal Clean Air Act as amended in
3 1990.

4 ...
5 "Volatile Organic Compound (VOC)" means VOC as defined in 40
6 CFR 51.100(s)(1), as effective on July 1, 2004, and amended on
7 November 29, 2004, by 69 FR 69290 and 69 FR 69298]effective as of
8 the date referenced in R307-101-3, which is hereby adopted and
9 incorporated by reference.

10 "Waste" means all solid, liquid or gaseous material,
11 including, but not limited to, garbage, trash, household refuse,
12 construction or demolition debris, or other refuse including that
13 resulting from the prosecution of any business, trade or industry.

14 "Zero Drift" means the change in the instrument meter readout
15 over a stated period of time of normal continuous operation when
16 the VOC concentration at the time of measurement is zero.

17
18 **R307-101-3. Version of Code of Federal Regulations Incorporated**
19 **by Reference**

20 Except as specifically identified in an individual rule, the
21 version of the Code of Federal Regulations(CFR) incorporated
22 throughout R307 is dated July 1, 2007.

23
24 **KEY: air pollution, definitions**

25 **Date of Enactment or Last Substantive Amendment:** [March 9,
26 2007]2008

27 **Notice of Continuation:** March 15, 2007

28 **Authorizing, and Implemented or Interpreted Law:** 19-2-104(1)(a)
29
30

R307. Environmental Quality, Air Quality.**R307-115. General Conformity.****R307-115-1. Determining Conformity.**

The provisions of 40 CFR Part 93, Subpart B, Determining Conformity of General Federal Actions to State or Federal Implementation Plans, [~~published at 58 FR 63214 on November 30, 1993, and effective on January 31, 1994~~]effective as of the date referenced in R307-101-3, are hereby incorporated by reference into these rules.

KEY: environmental protection, air pollution, general conformity[*]

Date of Enactment or Last Substantive Amendment: [~~September 15, 1998~~]**2008**

Notice of Continuation: July 7, 2005

Authorizing, and Implemented or Interpreted Law: 19-2-104

R307. Environmental Quality, Air Quality.**R307-170. Continuous Emission Monitoring Program.****R307-170-7. Performance Specification Audits.****(1) Quarterly Audits.**

Unless otherwise stipulated for sources subject to the Acid Rain Provisions of the Clean Air Act in 40 CFR Part 75 CEM, Appendix A, Section 6.2, ~~[as in effect on July 1, 2005]~~ effective as of the date referenced in R307-101-3, each continuous emissions monitoring system shall be audited at least once each calendar quarter. Successive quarterly audits shall be conducted at least two months apart. A relative accuracy test audit shall be conducted at least once every four calendar quarters as described in the applicable performance specification of 40 CFR 60, Appendix B.

(a) Relative accuracy shall be determined in units of the applicable emission limit.

(b) An alternative relative accuracy test (cylinder gas audit or relative accuracy audit) may be conducted in three of the four calendar quarters in place of conducting a relative accuracy test audit, but in no more than three quarters in succession.

(c) Each range of a dual range monitor shall be audited using an alternative relative accuracy audit procedure.

(d) Minor deviations from the reference method test must be submitted to the executive secretary for approval.

(e) Performance specification tests and audits shall be conducted so that the entire continuous monitoring system is concurrently tested.

(2) Notification.

The source shall notify the executive secretary of its intention to conduct a relative accuracy test audit by submitting a pretest protocol or by scheduling a pretest conference if directed to do so by the executive secretary. Each source shall notify the executive secretary no less than 45 days prior to testing.

(3) Audit Procedure.

A source may stop a relative accuracy test audit before the commencement of the fourth run to perform repairs or adjustments on the continuous emissions monitoring system. If the audit is stopped to make repairs or adjustments, the audit must be started again from the beginning. If the fourth test run is started, testing shall be conducted until the completion of the ninth acceptable test run or the source may declare the monitor out-of-control and stop the test. If the system does not meet its applicable relative accuracy performance specification outlined in 40 CFR 60, Appendix B, its data may not be used in determining emissions rates until the system is successfully recertified.

(4) Performance Specification Tests.

(a) Except as listed in (b) below, all reference method testing equipment shall be totally independent of the continuous emissions monitoring system equipment undergoing a performance specification test.

(b) Reference method tests conducted on fuel gas lines,

1 vapor recovery units, or other equipment as approved by the
2 executive secretary may use a common probe, when the reference
3 method sample line ties into the continuous emission monitor's
4 probe or sample line as close to the probe inlet as possible.

5 (5) Submittal of Audit Results.

6 The source shall submit all relative accuracy performance
7 specification test reports to the executive secretary no later
8 than 60 days after completion of the test.

9 (a) Test reports shall include all raw reference method
10 calibration data, raw reference method emission data with date and
11 time stamps, and raw source continuous monitoring data with date
12 and time stamps. All data shall be reported in concentration and
13 units of the applicable emission limit.

14 (b) Relative accuracy performance specification test or
15 audit reports shall include the company name, plant manager's
16 name, mailing address, phone number, environmental contact's name,
17 the monitor manufacturer, the model and serial number, the monitor
18 range, and its location.

19 (6) Daily Drift Test.

20 Each source operating a continuous monitoring system shall
21 conduct a daily zero and span calibration drift test as required
22 in 40 CFR 60.13(d). The zero and span drifts shall be determined
23 by using raw continuous monitoring system responses to a known
24 value of the reference standard. Computer enhancements may be
25 used to correct continuous monitoring system emission data that
26 has been altered by monitor drift, but may not be used to
27 determine daily zero and span drift.

28 (a) A monitor used for compliance that fails the daily
29 calibration drift test as outlined in 40 CFR 60 Appendix F,
30 Subpart 4, shall be declared out-of-control, and the out-of-
31 control period shall be documented in the state electronic data
32 report. The source shall make corrective adjustments to the
33 system promptly. Continuous emission monitoring system data
34 collected during the out-of-control period may not be used for
35 monitor availability.

36 (b) Each source operating a continuous monitoring system
37 that exceeds the calibration drift limit as outlined in 40 CFR 60
38 and the applicable performance specification shall make corrective
39 adjustments promptly.

40
41
42 **KEY: air pollution, monitoring, continuous monitoring**

43 **Date of Enactment or Last Substantive Amendment: [January 5,**
44 **2006]**

45 **Notice of Continuation: November 3, 2005**

46 **Authorizing, and Implemented or Interpreted Law: 19-2-101; 19-2-**
47 **104(1)(c); 19-2-115(3)(b); 40 CFR 60**
48
49

R307. Environmental Quality, Air Quality.**R307-221. Emission Standards: Emission Controls for Existing Municipal Solid Waste Landfills.****R307-221-1. Purpose and Applicability.**

(1) To meet the requirements of 42 U.S.C. 7411(d) and 40 CFR 60.30c through 60.36c, and to meet the requirements of the plan for Municipal Solid Waste Landfills, incorporated by reference at R307-220-2, R307-221 regulates emissions from existing municipal solid waste landfills.

(2) R307-221 applies to each existing municipal solid waste landfill for which construction, reconstruction or modification was commenced before May 30, 1991. Municipal solid waste landfills which closed prior to November 8, 1987, are not subject to R307-221. Physical or operational changes made solely to comply with the plan for Municipal Solid Waste Landfills are not considered a modification or reconstruction and do not subject the landfill to the requirements of 40 CFR 60 Subpart WWW.

(3) Municipal solid waste landfills with a design capacity greater than or equal to 2.5 million megagrams (2,755,750 tons) and 2.5 million cubic meters (3,270,000 cubic yards) are subject to the emission inventory requirements of R307-150.

R307-221-2. Definitions and References.

Definitions found in 40 CFR Part 60.751, [~~effective March 12, 1996~~]effective as of the date referenced in R307-101-3, are adopted and incorporated by reference, with the exclusion of the definitions of closed landfill, design capacity, and NMOC. The following additional definitions apply to R307-221:

"Closed Landfill" means a landfill in which solid waste is no longer being placed, and in which no additional solid wastes will be placed. A landfill is considered closed after meeting the criteria specified in Subsection R315-301-2[~~(12)~~]13.

"Design Capacity" means the maximum amount of solid waste a landfill can accept, as specified in an operating permit issued under R307-415 or a solid waste permit issued under Rule R315-310.

"Modification" means an increase in the landfill design capacity through a physical or operational change, as reported in the initial Design Capacity Report.

"NMOC" means nonmethane organic compounds.

R307-221-3. Emission Restrictions.

(1) The requirements found in 40 CFR 60.752 through 60.759, including Appendix A, [~~effective March 12, 1996~~]effective as of date referenced in R307-101-3, are adopted and incorporated by reference, with the following exceptions and the substitutions listed in R307-221-3(2) through (5):

(a) Substitute "executive secretary" for all federal regulation references to "Administrator."

(b) Substitute "State of Utah" for all federal regulation references to "State, local or Tribal agency."

(c) Substitute "R307-221" for all references to "This subpart" or "this part."

(d) Substitute "40 CFR" for all references to "This title."

(e) Substitute "Title 19, Chapter 6" for all references to "RCRA" or the "Resource Conservation and Recovery Act," 42 U.S.C. 6921, et seq.

(f) Substitute "Rules R315-301 through 320" for all references to 40 CFR 258.

(2) Instead of 40 CFR 60.757(a)(1), substitute the following: The initial design capacity report must be submitted within 90 days after the date on which EPA approves the state plan incorporated by reference under R307-220-2.

(3) Instead of 40 CFR 60.757(a)(3), substitute the following: An amended design capacity report shall be submitted to the Executive Secretary providing notification of any increase in the design capacity of the landfill, whether the increase results from an increase in the permitted area or depth of the landfill, a change in the operating procedures, or any other means which results in an increase in the maximum design capacity of the landfill. The amended design capacity report shall be submitted within 90 days of the earliest of the following events:

(a) the issuance of an amended operating permit;

(b) submittal of application for a solid waste permit under R315-310; or

(c) the change in operating procedures which will result in an increase in design capacity.

(4) Instead of 40 CFR 60.757(b)(1)(i), substitute the following: The initial emission rate report for nonmethane organic compounds must be submitted within 90 days after EPA approval of the state plan incorporated by reference under R307-220-2.

(5) Instead of 40 CFR 60.752(b)(2)(ii)(B)(2), substitute the following: The liner shall be installed with liners on the bottom and all sides in all areas in which gas is to be collected, or as approved by the executive secretary. The liner shall meet the requirements of Subsection R315-303-[4]3(3).

R307-221-4. Control Device Specifications.

Control devices meeting the following requirements, shall be used to control collected municipal solid waste landfill emissions:

(1) an open flare designed and operated in accordance with the parameters established in Section 40 CFR Part 60.18, effective as of date referenced in R307-101-3, which is adopted and incorporated by reference into this rule; or

(2) a control system designed and operated to reduce nonmethane organic compounds by 98 weight percent; or

(3) an enclosed combustor designed and operated to reduce the outlet nonmethane organic compounds concentration to 20 parts per million as hexane by volume, dry basis at 3 percent oxygen, or less.

R307-221-5. Compliance Schedule.

(1) Except as provided in (2) below, planning, awarding of

1 contracts, and installation of municipal solid waste landfill air
2 emission collection and control equipment capable of meeting the
3 emission standards established under R307-221-3(1) shall be
4 accomplished within 30 months after the date on which EPA approves
5 the state plan incorporated by reference under R307-220-2.

6 (2) For each existing municipal solid waste landfill meeting
7 the conditions in R307-221-1(2) whose emission rate for nonmethane
8 organic compounds is less than 50 megagrams (55 tons) per year on
9 the date EPA approves the state plan incorporated by reference
10 under R307-220-2, installation of collection and control systems
11 capable of meeting emissions standards in R307-221-1(2) shall be
12 accomplished within 30 months of the date when the landfill has an
13 emission rate of nonmethane organic compounds of 50 megagrams (55
14 tons) per year or more.

15 (3) The owner or operator of each landfill with a design
16 capacity greater than or equal to 2.5 million megagrams (2,755,750
17 tons) and 2.5 million cubic meters (3,270,000 cubic yards) shall
18 submit by April 1, 1997, an inventory of nonmethane organic
19 compounds. The calculations for this inventory shall use emission
20 factors which obtain the most accurate representation of emissions
21 from the landfill.

22 (4) The owner or operator of a landfill requiring controls
23 shall notify the executive secretary of the awarding of contracts
24 for the construction of the collection and control system or the
25 order to purchase components for the system. This notification
26 shall be submitted within 18 months after reporting a nonmethane
27 organic compound emission equal to or greater than 50 megagrams
28 (55 tons) per year.

29 (5) The owner or operator shall notify the executive
30 secretary of the initiation of construction or installation of the
31 collection and control system. This notification shall be
32 submitted to the executive secretary within 22 months after
33 reporting a nonmethane organic compound emission rate equal to or
34 greater than 50 megagrams (55 tons) per year. Landfills with
35 commingled asbestos and municipal solid waste may include the
36 submittals required under R307-214-1 with this notice.

37
38 **KEY: air pollution, municipal landfills[*]**

39 **Date of Enactment or Last Substantive Amendment: [January 7,**
40 **1999]**

41 **Notice of Continuation: March 15, 2007**

42 **Authorizing, and Implemented or Interpreted Law: 19-2-104**
43
44

R307. Environmental Quality, Air Quality.**R307-222. Emission Standards: Existing Incinerators for Hospital, Medical, Infectious Waste.****R307-222-1. Purpose and Applicability.**

(1) R307-222 regulates emissions from existing incinerators for hospital, medical, or infectious waste or any combination of them. The purpose of R307-222 is to reduce the emissions of particulate matter, sulfur dioxide, hydrogen chloride, oxides of nitrogen, carbon monoxide, lead, cadmium, mercury, and dioxins and dibenzofurans from incinerators burning hospital, medical or infectious waste. Reductions are required by 42 U.S.C. 7411(d) and 7429 and 40 CFR Part 60, subpart Ce, published at 62 FR 48348, September 15, 1997, and by the Plan for Incinerators for Hospital, Medical, and Infectious Waste which is incorporated by reference at R307-220-3.

(2) R307-222 applies to each incinerator for hospital, medical, or infectious waste or any combination of them for which construction was commenced on or before June 20, 1996, except as set forth below.

(a) A combustor is not subject to R307-222 during periods when only pathological waste, low-level radioactive waste, chemotherapeutic waste or any combination of them is burned, provided the owner or operator of the combustor:

(i) Notifies the executive secretary of an exemption claim; and

(ii) Keeps records on a calendar quarter basis of the periods of time when only pathological waste, low-level radioactive waste, chemotherapeutic waste or any combination of them is burned.

(b) Any co-fired combustor is not subject to this subpart if the owner or operator of the co-fired combustor:

(i) Notifies the executive secretary of an exemption claim;

(ii) Provides an estimate of the relative weight of wastes to be combusted, including hospital, medical or infectious waste or any combination of them, and other fuels and wastes; and

(iii) Keeps records on a calendar quarter basis of the weight of hospital, medical, or infectious waste or any combination of them which was combusted, and the weight of all other fuels and wastes combusted at the co-fired combustor.

(c) Any combustor required to have a permit under R315-306 is not subject to R307-222.

(d) Any combustor which meets the applicability requirements under subpart Cb, Ea, or Eb of 40 CFR Part 60 is not subject to R307-222.

(e) Any pyrolysis unit as defined in 40 CFR 60.51c is not subject to R307-222.

(f) Any cement kiln firing hospital, medical, or infectious waste or any combination of them is not subject to R307-223.

(g) Physical or operational changes made to an existing hospital, medical or infectious waste incinerator unit solely for the purpose of complying with emission guidelines under R307-223 are not considered a modification and do not result in an existing

hospital, medical or infectious or any combination waste incinerator unit becoming subject to the provisions of R307-18.

(3) Any facility subject to R307-222 also is required to obtain an operating permit under R307-415 no later than September 15, 2000.

R307-222-2. Definitions and References.

(1) The following definitions apply only to R307-222. Definitions found in 40 CFR 60.31e, ~~[effective November 14, 1997]~~ effective as of the date referenced in R307-101-3, and 40 CFR 60.51c, ~~[effective March 16, 1998]~~ effective as of the date referenced in R307-101-3, are adopted and incorporated by reference, with the following substitutions.

(a) Substitute "executive secretary" for all federal regulation references to "Administrator."

(b) Substitute "State of Utah" for all federal regulation references to "State agency" or "State regulatory agency."

(c) Substitute "Rule R307-222" for all references to "this subpart."

(d) Substitute "40 CFR Part 60" for all references to "this part."

(e) Substitute "40 CFR" for all references to "This title."

R307-222-3. All Incinerators.

~~[(1)]~~ Each incinerator subject to R307-222 must comply with the requirements of 40 CFR 60.52c(b) for emission limits, 40 CFR 60.53c for operator training and qualification, 40 CFR 60.55c for a waste management plan, 40 CFR 60.58c(b) excluding (b)(2)(ii) and (b)(7) for recordkeeping, and 40 CFR 60.58c(c) through (f) for reporting. These provisions, effective as of the date referenced in R307-101-3, are adopted and incorporated by reference.

~~(2) Each incinerator subject to R307-222 must submit by February 1, 1999, an initial emissions inventory for inclusion in the Plan.~~

~~(3) Compliance dates.~~

~~(a) Except as provided in (b) and (c), each incinerator must be in compliance with all requirements of R307-222 on or before the date one year after federal approval of the State Plan.~~

~~(b) The owner or operator may petition the executive secretary to extend the compliance date as late as three years after EPA approval of the State Plan or September 15, 2002, whichever is earlier. The petition must meet the requirements set forth in (c) below.~~

~~(c) The petition must be submitted by January 2, 2000 and must include the following documentation:~~

~~(i) analysis supporting the need for an extension;~~

~~(ii) an evaluation of the option to transport waste offsite to a commercial medical waste treatment and disposal facility on a temporary or permanent basis;~~

~~(iii) measurable and enforceable incremental steps of progress to be taken towards compliance;~~

~~(iv) a compliance plan as set forth in (d) below.~~

~~(d) The compliance plan must include compliance dates for either:~~
~~(i) disposal of waste offsite or installation of equipment other than an incinerator to treat waste at the earliest possible date, or~~
~~(ii) each activity to retrofit the incinerator, including the following intermediate steps:~~
~~(A) The owner or operator must award the contract for retrofitting no later than March 1, 2000.~~
~~(B) The owner or operator must begin installation of air pollution control devices no later than June 1, 2000.~~
~~(C) The owner or operator must complete installation of the air pollution control devices no later than February 2, 2002.~~
~~(D) The owner or operator must conduct initial compliance testing of each air pollution control device by April 2, 2002.~~
~~(E) The owner or operator must complete all requirements to show compliance no later than three years following EPA approval of the Plan or September 15, 2002, whichever is earlier.~~
~~(e) If the petition is granted, the owner or operator must comply with the schedule in the compliance plan.]~~

R307-222-4. Large, Medium and Urban Small Incinerators.

Except as provided in Section R307-222-5, each incinerator must comply with the emissions limitations of Table 1 in 40 CFR Part 60, Subpart Ce, 40 CFR 60.57c, and 40 CFR 60.56c excluding 56c(b)(12) and 56c(c)(3), effective as of the date referenced in R307-101-3, which are adopted and incorporated by reference.

R307-222-5. Small Rural Incinerators.

(1) A small rural incinerator is a small incinerator as defined in Section R307-222-2 that:

(a) is located more than 50 miles from the boundary of the nearest Standard Metropolitan Statistical Area listed in OMB bulletin No. 93-17 entitled "Revised Statistical definitions for Metropolitan Areas," June 30, 1993; and

(b) burns less than 2000 pounds per week of hospital, medical or infectious waste or any combination of them. The 2000 pounds per week limitation does not apply during performance tests.

(2) Each small rural incinerator must comply with the emission limits of Table 2 in 40 CFR Part 60, Subpart Ce, effective as of the date referenced in R307-101-3, which are adopted and incorporated by reference.

(3) Each small incinerator must comply with the inspection requirements of 40 CFR 60.36e(a)(1) and (a)(2), effective as of the date referenced in R307-101-3, which are adopted and incorporated by reference. An inspection meeting these requirements must be conducted within one year after federal approval of the Plan incorporated by reference in R307-220-3, and annually no more than 12 months following the previous annual inspection.

(4) Each small incinerator must comply with the compliance

1 and performance testing requirements of 40 CFR 60.37e(b)(1)
2 through (b)(5), effective as of the date referenced in R307-101-3,
3 which are adopted and incorporated by reference.

4 (5) Each small incinerator must comply with the monitoring
5 requirements of 40 CFR 60.37e(d)(1) through (d)(3), effective as
6 of the date referenced in R307-101-3, which are adopted and
7 incorporated by reference.

8 (6) Each small incinerator must comply with the
9 recordkeeping and reporting requirements of 40 CFR 60.38e(b)(1)
10 and (b)(2), effective as of the date referenced in R307-101-3,
11 which are adopted and incorporated by reference.

12
13 **KEY: air pollution, hospitals, medical incinerator[*], infectious**
14 **waste[*]**

15 **Date of Enactment or Last Substantive Amendment: [November 25,**
16 **1998]**

17 **Notice of Continuation: March 15, 2007**

18 **Authorizing, and Implemented or Interpreted Law: 19-2-104**
19
20

R307. Environmental Quality, Air Quality.**R307-223. Emission Standards: Existing Small Municipal Waste Combustion Units.****R307-223-1. Purpose and Applicability.**

(1) R307-223 regulates emissions from existing small municipal waste combustion units. The purpose of R307-223 is to reduce the emissions of particulate matter, sulfur dioxide, hydrogen chloride, oxides of nitrogen, carbon monoxide, lead, cadmium, mercury, and dioxins and furans from small municipal waste combustion units. Reductions are required by 42 U.S.C. 7411(d) and 7429 and 40 CFR Part 60, subpart BBBB[~~published at 63 FR 76378, December 6, 2000~~], and by the Plan for Existing Small Municipal Waste Combustion Units that is incorporated by reference at R307-220-4.

(2) R307-223 applies to each existing small municipal waste combustion unit that has the capacity to combust at least 35 tons per day but no more than 250 tons per day of municipal solid waste or refuse-derived fuel and commenced construction on or before August 30, 1999. A list of facilities not subject to R307-223 is found in 40 CFR 60.1555(a) through (k), [and] effective as of the date referenced in R307-101-3, which is hereby adopted and incorporated by reference.

(3) If an owner or operator of a municipal waste combustion unit makes physical or operational changes to an existing municipal waste combustion unit primarily to comply with the Plan for Existing Small Municipal Waste Combustion Units that is incorporated by reference at R307-220-4, then R307-210 does not apply to that unit. Such changes do not constitute modifications or reconstructions under R307-210.

(4) The owner or operator of any source subject to R307-223 also is required to submit an application for an operating permit under R307-415.~~[and must notify the executive secretary that the source is subject to CFR Part 60, Subpart BBBB no later than January 1, 2002.]~~

R307-223-2. Definitions and Equations.

(1) The following definitions apply only to R307-223. Definitions found in 40 CFR 60.1940, ~~[effective February 5, 2001, and published at 65 FR 76378]~~, effective as of the date referenced in R307-101-3, are adopted and incorporated by reference, with the following substitutions.

(a) Substitute "executive secretary" for all federal regulation references to "Administrator" or "EPA Administrator."

(b) Substitute "State of Utah" for all federal regulation references to "State," "State agency" or "State regulatory agency."

(c) "State plan" means the Plan for Existing Small Municipal Waste Combustion Units that is incorporated by reference at R307-220-4.

(d) "You" means the owner or operator of a small municipal waste combustion unit.

(e) Substitute "Rule R307-223" for all references to "this

1 subpart."

2 (f) Substitute "40 CFR Part 60" for all references to "this
3 part."

4 (g) Substitute "40 CFR" for all references to "This title."

5 (2) Equations found in 40 CFR 60.1935, [~~effective February~~
6 ~~5, 2001, and published at 65 FR 76378~~]effective as of the date
7 referenced in R307-101-3, are adopted and incorporated by
8 reference.

9
10 **R307-223-3. Requirements.**

11 (1) Each incinerator owner or operator subject to R307-223
12 must comply with the requirements of 40 CFR 60.1540 and 60.1585
13 through 60.1905, and with the requirements and schedules set forth
14 in Tables 2 through 8 that are found following 40 CFR 60.1940 for
15 operator training and certification, operating requirements,
16 emission limits, continuous emission monitoring, stack testing,
17 other monitoring requirements, record keeping, and reporting.
18 These provisions and table, effective as of the date referenced in
19 R307-101-3, are adopted and incorporated by reference with the
20 exceptions listed below.

21 (a) In 40 CFR 60.1650(a), delete "or state."

22 (b) In 40 CFR 60.1675(a), delete "or a current provisional
23 operator certification from your State certification program."

24 (c) In 40 CFR 1675 (c), change "three" to "two," and delete
25 40 CFR 1675(c)(3).

26 (2) Compliance dates. Each incinerator must be in
27 compliance with the dates in Section III of the Plan.

28
29 **KEY: air pollution, municipal waste incinerator[*], waste to**
30 **energy plant[*]**

31 **Date of Enactment or Last Substantive Amendment: [September 10,**
32 **2001]2008**

33 **Notice of Continuation: March 15, 2007**

34 **Authorizing, and Implemented or Interpreted Law: 19-2-104**
35
36

1 **R307. Environmental Quality, Air Quality.**

2 **R307-224. Mercury Emission Standards: Coal-Fired Electric**
3 **Generating Units.**

4 **R307-224-1. Purpose and Applicability.**

5 (1) Nationwide reductions of mercury (Hg) emissions from
6 certain coal-fired electric generating units are required by 40
7 CFR Part 60, subparts B and HHHH, in effect on June 9, 2006, and
8 by the Designated Facilities Plan for coal-fired electric
9 generating units, incorporated by reference at R307-220-5.

10 (2) R307-224 regulates mercury emissions from any coal-fired
11 electric generating unit as defined in 40 CFR 60.24.

12
13 **R307-224-2. Emission Guidelines and Compliance Times for Coal-**
14 **Fired Electric Generating Units.**

15 (1) The following sections of 40 CFR Part 60, subpart HHHH
16 [effective on June 9, 2006], effective as of the date referenced in
17 R307-101-3, are adopted and incorporated by reference into these
18 rules:

19 (a) Sections 60.4101 through 60.4124;

20 (b) Sections 60.4142 paragraph (c)(2) through paragraph

21 (c)(4);

22 (c) Sections 60.4150 through 60.4176.

23
24 **KEY: air pollution, electric generating unit, mercury**

25 **Date of Enactment or Last Substantive Amendment: March 15, 2007**

26 **Authorizing, and Implemented or Interpreted Law: 19-2-104(3)(q);**

27 **40 CFR Part 60, Subparts Da and HHHH**
28
29

R307. Environmental Quality, Air Quality.**R307-310. Salt Lake County: Trading of Emission Budgets for Transportation Conformity.****R307-310-1. Purpose.**

This rule establishes the procedures that may be used to trade a portion of the primary PM10 budget when demonstrating that a transportation plan, transportation improvement program, or project conforms with the motor vehicle emission budgets in the Salt Lake County portion of Section IX, Part A of the State Implementation Plan, "Fine Particulate Matter (PM10)"

R307-310-2. Definitions.

The definitions contained in 40 CFR 93.101, [~~effective as of July 1, 2001~~]effective as of the date referenced in R307-101-3, are incorporated into this rule by reference. The following additional definitions apply to this rule.

"Budget" means the motor vehicle emission projections used in the attainment demonstration in the Salt Lake County portion of Section IX, Part A of the State Implementation Plan, "Fine Particulate Matter (PM10)."

"NOx" means oxides of nitrogen.

"Primary PM10" means PM10 that is emitted directly by a source. Primary PM10 does not include particulate matter that is formed when gaseous emissions undergo chemical reactions in the ambient air.

"Transportation Conformity" means a demonstration that a transportation plan, transportation improvement program, or project conforms with the emissions budgets in a state implementation plan, as outlined in 40 CFR, Chapter 1, Part 93, "Determining Conformity of Federal Actions to State or Federal Implementation Plans."

R307-310-3. Applicability.

(1) This rule applies to agencies responsible for demonstrating transportation conformity with the Salt Lake County portion of Section IX, Part A of the State Implementation Plan, "Fine Particulate Matter (PM10)."

(2) This rule does not apply to emission budgets from Section IX, Part D.2 of the State Implementation Plan, "Ozone Maintenance Plan."

(3) This rule does not apply to emission budgets from Section IX, Part C.7 of the State Implementation Plan, "Carbon Monoxide Maintenance Provisions."

R307-310-4. Trading Between Emission Budgets.

(1) The agencies responsible for demonstrating transportation conformity are authorized to supplement the budget for NOx with a portion of the budget for primary PM10 for the purpose of demonstrating transportation conformity for NOx. The NOx budget shall be supplemented using the following procedures.

(a) The metropolitan planning organization shall include the following information in the transportation conformity

1 demonstration:

2 (i) The budget for primary PM10 and NOx for each required
3 year of the conformity demonstration, before trading allowed by
4 this rule has been applied;

5 (ii) The portion of the primary PM10 budget that will be
6 used to supplement the NOx budget, specified in tons per day using
7 a 1:1 ratio of primary PM10 to NOx, for each required year of the
8 conformity demonstration;

9 (iii) The remainder of the primary PM10 budget that will be
10 used in the conformity demonstration for primary PM10, specified
11 in tons per day for each required year of the conformity
12 demonstration; and

13 (iv) The budget for primary PM10 and NOx for each required
14 year of the conformity demonstration after the trading allowed by
15 this rule has been applied.

16 (b) Transportation conformity for NOx shall be demonstrated
17 using the NOx budget supplemented by a portion of the primary PM10
18 budget as described in (a)(ii). Transportation conformity for
19 primary PM10 shall be demonstrated using the remainder of the
20 primary PM10 budget described in (a)(iii).

21 (c) The primary PM10 budget shall not be supplemented by
22 using a portion of the NOx budget.

23
24 **R307-310-5. Transition Provision.**

25 R307-310, sections 1-4 will remain in effect until the day
26 that EPA approves the conformity budget in the PM10 maintenance
27 plan adopted by the board on July 6, 2005.

28
29 **KEY: air pollution, transportation conformity, PM10**

30 **Date of Enactment or Last Substantive Amendment: July 7, 2005**

31 **Notice of Continuation: September 7, 2005**

32 **Authorizing, and Implemented or Interpreted Law: 19-2-104**

33
34

R307. Environmental Quality, Air Quality.**R307-417. Permits: Acid Rain Sources.****R307-417-1. Part 72 Requirements.**

The provisions of 40 CFR Part 72, ~~[as in effect on July 1, 1998]~~ effective as of the date referenced in R307-101-3, for purposes of implementing an acid rain program that meets the requirements of Title IV of the Clean Air Act, are incorporated into these rules by reference. The term "permitting authority" shall mean the Executive Secretary of the Air Quality Board, and the term "Administrator" shall mean the Administrator of the Environmental Protection Agency. If the provisions or requirements of 40 CFR Part 72 conflict with or are not included in R307-415~~[- Permits: Operating Permit Requirements]~~, provisions and requirements of 40 CFR Part 72 shall apply and take precedence.

R307-417-2. Part 75 Requirements

The provisions of 40 CFR Part 75, effective as of the date referenced in R307-101-3, for purposes of implementing an acid rain program that meets the requirements of Title IV of the Clean Air Act, are incorporated into these rules by reference. The term "permitting authority" shall mean the executive secretary of the Air Quality Board, and the term "Administrator" shall mean the Administrator of the Environmental Protection Agency. If the provisions or requirements of 40 CFR Part 75 conflict with or are not included in R307-415, provisions and requirements of 40 CFR Part 75 shall apply and take precedence.

R307-417-3. Part 76 Requirements.

The provisions of 40 CFR Part 76, effective as of the date referenced in R307-101-3, for purposes of implementing an acid rain program that meets the requirements of Title IV of the Clean Air Act, are incorporated into these rules by reference. The term "permitting authority" shall mean the executive secretary of the Air Quality Board, and the term "Administrator" shall mean the Administrator of the Environmental Protection Agency. If the provisions or requirements of 40 CFR Part 76 conflict with or are not included in R307-415, provisions and requirements of 40 CFR Part 76 shall apply and take precedence.

KEY: acid rain, air quality, permitting authority[*], operating permit[*]

Date of Enactment or Last Substantive Amendment: ~~[March 5, 1999]~~ **2008**

Notice of Continuation: February 9, 2004

Authorizing, and Implemented or Interpreted Law: 19-2-101; 19-2-104(3)(q)

R307. Environmental Quality, Air Quality.**R307-801. Asbestos.**

...

R307-801-3. Definitions.

The following definitions apply to R307-801:

"Adequately Wet" means sufficiently mix or penetrate with liquid to prevent the release of particulates. If visible emissions are observed coming from asbestos-containing material, then that material has not been adequately wetted. However, the absence of visible emissions is not sufficient evidence of being adequately wet.

"Amended Water" means a mixture of water and a chemical wetting agent that provides control of asbestos fiber release.

"AHERA" means the federal Asbestos Hazard Emergency Response Act of 1986 and the Environmental Protection Agency implementing regulations, 40 CFR Part 763, Subpart E - Asbestos-Containing Materials in Schools.

"Asbestos" means the asbestiform varieties of serpentine (chrysotile), riebeckite (crocidolite), cummingtonite-grunerite (amosite), anthophyllite, and actinolite-tremolite.

"Asbestos Containing Material (ACM)" means any material containing more than one percent (1%) asbestos by the method specified in Appendix A, Subpart F, 40 CFR Part 763 Section 1, Polarized Light Microscopy (PLM), or, if the asbestos content is less than 10%, the asbestos concentration must be determined by point counting using PLM procedure.

"Asbestos Inspection" means any activity undertaken to determine the presence or location, or to assess the condition, of asbestos-containing material or suspected asbestos-containing material, whether by visual or physical examination, or by taking samples of the material. This term includes re-inspections of the type described in AHERA, 40 CFR 763.85(b), of known or assumed asbestos-containing material which has been previously identified.

The term does not include the following:

(a) Periodic surveillance of the type described in AHERA, 40 CFR 763.92(b), solely for the purpose of recording or reporting a change in the condition of known or assumed asbestos-containing material;

(b) Inspections performed by employees or agents of federal, state, or local government solely for the purpose of determining compliance with applicable statutes or regulations; or

(c) Visual inspections of the type described in AHERA, 40 CFR 763.90(i), solely for the purpose of determining completion of response actions.

"Asbestos Project" means any activity involving the removal, renovation, repair, demolition, salvage, disposal, cleanup, or other disturbance of regulated asbestos-containing material greater than small scale short duration.

"Asbestos Removal" means the stripping of friable asbestos-containing material from surfaces or components of a structure or taking out structural components that contain or are covered with friable ACM from a structure.

1 "Asbestos Survey Report" means a written report as specified
2 in R307-801-10(6) describing an asbestos inspection performed by a
3 certified asbestos inspector.

4 "Asbestos Waste" means any waste that contains asbestos.
5 This term includes filters from control devices, friable asbestos-
6 containing waste material, and bags or other similar packaging
7 contaminated with asbestos. As applied to demolition and
8 renovations, this term includes materials contaminated with
9 asbestos including disposable equipment and clothing.

10 "Containerized" means sealed in a leak-tight and durable
11 container.

12 "Debris" means asbestos-containing material that has been
13 dislodged and has fallen from its original substrate and position
14 or which has fallen while remaining attached to substrate sections
15 or fragments, and is friable or regulated in its current
16 condition.

17 "Demolition" means the wrecking, salvage, or removal of any
18 load-supporting structural member of a structure together with any
19 related handling operations, or the intentional burning of any
20 structure. This includes the moving of an entire building.

21 "Disturb" means to disrupt the matrix of ACM or regulated
22 asbestos-containing material, crumble or pulverize ACM or
23 regulated asbestos-containing material, or generate visible debris
24 from ACM or regulated asbestos-containing material.

25 "Division" means the Division of Air Quality.

26 "Emergency Renovation Operation" means any asbestos project
27 which was not planned and results from a sudden, unexpected event
28 that, if not immediately attended to, presents a safety or public
29 health hazard, is necessary to protect equipment from damage, or
30 is necessary to avoid imposing an unreasonable financial burden as
31 determined by the Division. This term includes operations
32 necessitated by non-routine failure of equipment and does not
33 include situations caused by the lack of planning.

34 "Encapsulant" means a permanent coating applied to the
35 surface of friable ACM for the purpose of preventing the release
36 of asbestos fibers. The encapsulant creates a membrane over the
37 surface (bridging encapsulant) or penetrates the material and
38 binds its components together (penetrating encapsulant).

39 "Facility" means any institutional, commercial, public,
40 industrial, or residential structure, installation, or building,
41 including any structure, installation, or building containing
42 condominiums or individual dwelling units operated as a
43 residential co-operative; any ship; and any active or inactive
44 waste disposal site. For purposes of this definition, any
45 building, structure, or installation that contains a loft used as
46 a dwelling is not considered a residential structure,
47 installation, or building. Any structure, installation or building
48 that was previously subject to the NESHAP is not excluded,
49 regardless of its current use or function. Public building and
50 commercial building have the same meanings as they do in TSCA
51 Title II.

52 "Friable Asbestos Containing Material (Friable ACM)" means

1 any asbestos-containing material that, when dry, can be crumbled,
2 pulverized, or reduced to powder by hand pressure.

3 "Glovebag" means an impervious plastic bag-like enclosure,
4 not more than a 60 x 60 inches, affixed around an asbestos-
5 containing material, with glove-like appendages through which
6 material and tools may be handled.

7 "HEPA Filtration" means the high efficiency particulate air
8 filtration found in respirators and vacuum systems capable of
9 filtering particles greater than 0.3 micron in diameter with
10 99.97% efficiency, designed for use in asbestos-contaminated
11 environments.

12 "Inaccessible" means in a physically restricted or obstructed
13 area or covered in such a way that detection or removal is
14 prevented or severely hampered.

15 "Management Plan" means a document that meets the
16 requirements of AHERA for management plans for asbestos in
17 schools.

18 "Management Planner" means a person who prepares a management
19 plan for a school building subject to AHERA.

20 "Model Accreditation Plan (MAP)" means 40 CFR Part 763,
21 Subpart E, Appendix C, Asbestos Model Accreditation Plan.

22 "NESHAP" means the National Emission Standards for Hazardous
23 Air Pollutants, 40 CFR Part 61, Subpart M, the National Emission
24 Standard for Asbestos.

25 "NESHAP Amount" means combined amounts in a project that
26 total:

27 (a) 260 linear feet (80 meters) of pipe covered with RACM;

28 (b) 160 square feet (15 square meters) of RACM used to cover
29 or coat any duct, boiler, tank, reactor, turbine, equipment,
30 structure, structural member, or structural component; or

31 (c) 35 cubic feet (one cubic meter) of RACM removed from
32 structural members or components where the length and area could
33 not be measured previously.

34 "NESHAP-Sized Asbestos Project" means any asbestos project
35 that involves at least a NESHAP amount of ACM.

36 "Regulated Asbestos-Containing Material (RACM)" means friable
37 ACM, Category I nonfriable ACM that has become friable, Category I
38 nonfriable ACM that will be or has been subjected to sanding,
39 grinding, cutting, or abrading, or Category II nonfriable ACM that
40 has a high probability of becoming or has become crumbled,
41 pulverized, or reduced to powder by the forces expected to act on
42 the material in the course of demolition or renovation operations.

43 "Renovation" means the alteration in any way of one or more
44 structural components, excluding demolition.

45 "Small-Scale, Short-Duration (SSSD) Asbestos Project" means
46 an asbestos project that removes or disturbs less than 3 square
47 feet or 3 linear feet of RACM in a facility or structure.

48 "Strip" means to take off ACM from any part of a structure or
49 structural component.

50 "Structural Component" means any pipe, duct, boiler, tank,
51 reactor, turbine, or furnace at or in a structure, or any
52 structural member of the structure.

"Structural Member" means any load-supporting member of a structure, such as beams and load-supporting walls or any non-load-supporting member, such as ceilings and non-load-supporting walls.

"Structure" means, for the purposes of R307-801, any institutional, commercial, residential, or industrial building, equipment, building component, installation, or other construction.

"TSCA Accreditation" means successful completion of training as an inspector, management planner, project designer, contractor-supervisor, or worker, as specified in the TSCA Title II.

"TSCA Title II" means 15 U.S.C. 2601 et seq., Toxic Substances Control Act, Subchapter II - Asbestos Hazard Emergency Response[, and 40 CFR Part 763, Subpart E - Asbestos Containing Materials in Schools, including appendices, as in effect on July 1, 1999].

"Unrestrained Access" means without fences, closed doors, personnel, or any other method intended to restrict public entry.

"Waste Generator" means any owner or operator of an asbestos project covered by R307-801 whose act or process produces asbestos waste.

"Working Day" means Monday through Friday and includes holidays that fall on any of the days Monday through Friday.

R307-801-4. Adoption and ~~[Implementation of TSCA Title II]~~ Incorporation of 40 CFR 763 Subpart E.

(1) The provisions of 40 CFR 763 Subpart E, including appendices~~[TSCA Title II]~~ effective as of the date referenced in R307-101-3 are hereby adopted and incorporated [herein] by reference.

(2) Implementation of the provisions of 40 CFR Part 763, Subpart E, except for the Model Accreditation Plan, shall be limited to those provisions for which the EPA has waived its requirements in accordance with 40 CFR Subpart 763.98, Waiver; delegation to State, as published at 52 FR 41826, (October 30, 1987).

...

R307-801-7. Denial and Cause for Suspension and Revocation of Company and Individual Certifications.

(1) An application for certification may be denied if the individual, applicant company, or any principle officer of the applicant company has a documented history of noncompliance with the requirements, procedures, or standards established by R307-801, R307-214-1, which incorporates 40 CFR Part 61, Subpart M, the National Emission Standard for Asbestos, AHERA, or with the requirements of any other entity regulating asbestos activities and training programs.

(2) The executive secretary may revoke or suspend any certification based upon documented violations of any requirement of R307-801, AHERA, or 40 CFR Part 61, Subpart M, including but

not limited to:

(a) Falsification of or knowing omission in any written submittal required by those regulations;

(b) Permitting the duplication or use of a certificate or TSCA accreditation for the purpose of preparing a falsified written submittal; or

(c) Repeated work practice violations.

...

KEY: air pollution, asbestos, asbestos hazard emergency response, schools

Date of Enactment or Last Substantive Amendment: June 16, 2006

Notice of Continuation: June 16, 2006

Authorizing, and Implemented or Interpreted Law: 19-2-104(1)(d); 19-2-104(3)(r) through (t); 40 CFR Part 61, Subpart M; 40 CFR Part 763, Subpart E

R307. Environmental Quality, Air Quality.**R307-840. Lead-Based Paint Accreditation, Certification and Work Practice Standards.****R307-840-1. Purpose and Applicability.**

(1) Rule R307-840 establishes procedures and requirements for the accreditation of lead-based paint activities training programs, procedures and requirements for the certification of individuals and firms engaged in lead-based paint activities, and work practice standards for performing such activities. This rule also requires that, except as outlined in (2), all lead-based paint activities, as defined in this rule, must be performed by certified individuals and firms.

(2) R307-840 applies to all individuals and firms who are engaged in lead-based paint activities as defined in R307-840-2, except persons who perform these activities within residential dwellings that they own, unless the residential dwelling is occupied by a person or persons other than the owner or the owner's immediate family while these activities are being performed, or a child residing in the building has been identified as having an elevated blood lead level.

(3) Each department, agency, and instrumentality of the executive, legislative and judicial branches of the Federal Government having jurisdiction over any property or facility, or engaged in any activity resulting, or which may result, in a lead-based paint hazard, and each officer, agent, or employee thereof shall be subject to, and comply with, all Federal, State, interstate, and local requirements, both substantive and procedural, including the requirements of R307-840 regarding lead-based paint, lead-based paint activities, and lead-based paint hazards.

(4) While Rule R307-840 establishes specific requirements for performing lead-based paint activities should they be undertaken, nothing in R307-840 requires that the owner or occupant undertake any particular lead-based paint activity.

R307-840-2. Definitions.

(1) Definitions found in 40 CFR 745.63, 40 CFR 745.83, and 40 CFR 745.223, ~~[in effect as of July 1, 2005]~~ effective as of the date referenced in R307-101-3, are hereby adopted and incorporated by reference, with the substitutions found in (2) below and the modifications found in (3) below.

(2) Substitutions.

(a) Substitute "the Executive Secretary" for all references to "EPA" except in the definition of "Pamphlet" found in 40 CFR 745.83 and in the definition of "Recognized laboratory" found in 40 CFR 745.223.

(b) Substitute "the Executive Secretary" for all references to "Administrator".

(3) Modifications.

(a) Delete the definition of "Administrator" found in 40 CFR 745.83.

(b) Modify the definition of "Pamphlet" found in Sec. 745.83

1 by deleting ", or any State or Tribal pamphlet approved by EPA
2 pursuant to 40 CFR 745.326 that is developed for the same
3 purpose".

4 (c) Delete the definition of "Lead-based paint hazard" found
5 in 40 CFR 745.223.

6 (d) Modify the definition of "Business day" found in Sec.
7 745.223 by including "and State of Utah" before "holidays".

8
9 **R307-840-3. Accreditation, Certification and Work Standards:
10 Target Housing and Child-Occupied Facilities.**

11 (1) The following requirements, [~~in effect as of July 1,~~
12 ~~2005]~~effective as of date referenced in R307-101-3, are hereby
13 adopted and incorporated by reference, with the substitutions
14 found in (2) below and the modifications found in (3) below:

15 (a) 40 CFR 745.61, 745.65, 745.80, 745.81, 745.82, 745.85,
16 745.86, 745.88, 745.225(a) through (g) and (i), 745.226 (a)
17 through (h), 745.227, and 745.233.

18 (2) Substitutions.

19 (a) Substitute "the Executive Secretary" for all references
20 to "EPA" with the following exceptions:

21 (i) Sec. 745.65(d).

22 (ii) Sec. 745.86(b)(1).

23 (iii) Sec. 745.225(b)(1)(iii), Sec. 745.225(b)(1)(iv), Sec.
24 745.225(c)(2)(ii), Sec. 745.225(c)(10), Sec. 745.225(e)(5)(iii),
25 and Sec. 745.225(e)(5)(iv).

26 (iv) The last reference to EPA in Sec. 745.226(a)(1)(ii) and
27 the second reference to EPA in Sec. 745.226(d)(1).

28 (v) The first three references to EPA in Sec. 745.227(a)(3),
29 and the reference to EPA in Sec. 745.227(a)(4), Sec.
30 745.227(e)(4)(vi)(D), Sec. 745.227(e)(4)(vi)(I), and Sec.
31 745.227(f)(2).

32 (b) Substitute "the Executive Secretary or the Executive
33 Secretary's authorized representative" for references to "EPA" in
34 Sec. 745.225(c)(12), Sec. 745.225(f)(4), and Sec. 745.225(i)(1).

35 (c) Substitute "the Executive Secretary" for all references
36 to "Administrator".

37 (d) Substitute "R307-840" for "either Federal regulations at
38 Sec. 745.226 or a State or Tribal certification program authorized
39 pursuant to Sec. 745.324" in Sec. 745.82(b)(3).

40 (e) Substitute "R307-840" for "either Federal regulations at
41 Sec. 745.226 or an EPA-authorized State or Tribal certification
42 program" in Sec. 745.86(b)(1).

43 (f) Substitute "Sec. 745.82(b)(3)" for "Sec. 745.82(b)(iv)"
44 in 40 CFR 745.86(b)(1).

45 (g) Substitute sample certification language found in Sec.
46 745.88(b)(2)(ii) with that found in Sec. 745.88(b)(2)(i).

47 (h) Substitute sample certification language found in Sec.
48 745.88(b)(2)(i) with that found in Sec. 745.88(b)(2)(ii).

49 (i) Substitute "the current Department of Environmental
50 Quality Fee Schedule" for references to "Sec. 745.238" in Sec.
51 745.225(b)(4), Sec. 745.225(f)(3)(v), Sec. 745.226(a)(6), Sec.
52 745.226(e)(3), Sec. 745.226(f)(6), and Sec. 745.226(f)(7).

(j) Substitute "Utah Division of Air Quality electronic notification system" for "Agency's central data exchange (CDX)" in Sec. 745.225(c)(13)(vi), Sec. 745.225(c)(14)(iii), and Sec. 745.227(e)(4)(vii).

(k) Substitute "Notification Form" for "Schedule" in Sec. 745.225(c)(13)(vi).

(l) Substitute "Utah Division of Air Quality Lead-Based Paint Program web site" for "NLIC at 1-800-424-LEAD(5323), or on the Internet at <http://www.epa.gov/lead>" in Sec. 745.225(c)(13)(vi), Sec. 745.225(c)(14)(iii), and Sec. 745.227(e)(4)(vii).

(m) Substitute "Verification Form" for "Course Follow-up" in Sec. 745.225(c)(14)(iii).

(n) Substitute "Utah lead-based paint firm" for "EPA" in Sec. 745.227(e)(4)(vi)(D).

(o) Substitute "Utah lead-based paint individual" for "EPA" in Sec. 745.227(e)(4)(vi)(I).

(p) Substitute "Lead-Based Paint Abatement Project Notification" for "Notification of Lead-Based Paint Abatement Activities" in Sec. 745.227(e)(4)(vii).

(q) Substitute "Sec 745.65(b)" for "Sec 745.227(b)" in 40 CFR 745.227(h)(2)(i).

(3) Modifications.

(a) Change the date in Sec. 745.81 to October 1, 2005.

(b) Change the date in Sec. 745.226(a)(5), Sec. 745.226(d)(2), Sec. 745.226(f)(1), and Sec. 745.227(a)(1) to August 30, 1999.

(c) Modify Sec. 745.225(b)(1)(iii) by deleting "or training materials approved by a State or Indian Tribe that has been authorized by EPA under subpart Q of this part,".

(d) Modify Sec. 745.225(b)(1)(iv) by deleting "or training materials approved by an authorized State or Indian Tribe".

(e) Modify Sec. 745.225(c)(2)(ii) by including "Executive Secretary-accredited," before "EPA-accredited".

(f) Modify Sec. 745.225(c)(13)(v)(B) and Sec. 745.225(c)(14)(ii)(A) by deleting "EPA accreditation number,".

(g) Modify Sec. 745.225(c)(14)(ii)(F) to include "Utah Division of Air Quality Lead-Based Paint Program training verification statement".

(h) Modify Sec. 745.225(e)(5)(iii) by deleting "or training materials approved by a State or Indian Tribe that has been authorized by EPA under Sec. 745.324 to develop its refresher training course materials,".

(i) Modify Sec. 745.225(e)(5)(iv) by deleting "or training materials approved by an authorized State or Indian Tribe".

(j) Modify Sec. 745.226(a)(1)(ii) by including "EPA or" after the word "from".

(k) Modify Sec. 745.226(f)(7) by deleting "every 3 years".

(l) Modify Sec. 745.227(a)(3) by deleting "Regulations, guidance, methods, or protocols issued by States and Indian Tribes that have been authorized by EPA;".

KEY: air pollution, paint, lead-based paint

**Date of Enactment or Last Substantive Amendment: [~~November 3,~~
2005]2008**

Notice of Continuation: May 5, 2003

Authorizing, and Implemented or Interpreted Law: 19-2-104(1)(i)

R307. Environmental Quality, Air Quality.~~[R307-215. Emission Standards: Acid Rain Requirements.~~~~**R307-215-1. Part 76 Requirements.**~~

~~— The provisions of 40 CFR Part 76, as in effect on December 19, 1996, for purposes of implementing an acid rain program that meets the requirements of Title IV of the Clean Air Act, are incorporated into these rules by reference. The term "permitting authority" shall mean the executive secretary of the Air Quality Board, and the term "Administrator" shall mean the Administrator of the Environmental Protection Agency. If the provisions or requirements of 40 CFR Part 76 conflict with or are not included in R307-415, Operating Permit Requirements, provisions and requirements of 40 CFR Part 76 shall apply and take precedence.~~

~~**KEY: acid rain, air quality, permitting authority*, operating permits***~~

~~**Date of Enactment or Last Substantive Amendment: September 15, 1998**~~

~~**Notice of Continuation: June 8, 2004**~~

~~**Authorizing, and Implemented or Interpreted Law: 19-2-101, 19-2-104(3)(g)]**~~

Rule	CFR	Summary of Changes
R307-101-2 VOC	40 CFR Part 51.100(s)(1)	January 18, 2007 (72 FR 2193): The EPA amended the definition of VOC at 40 CFR 51.100(s) to exclude HFE-7300 as VOC for ozone SIP and ozone control purposes.
R307-115	40 CFR Part 93, Subpart B	July 17, 2006 (71 FR 40427): The intent of the general conformity requirement is to prevent the air quality impacts of federal actions from causing or contributing to a violation of the NAAQS or interfering with the purpose of a State Implementation Plan (SIP). The EPA added <i>de minimis</i> emission levels for PM _{2.5} to the general conformity requirements.
R307-215-1	40 CFR Part 76	<p>January 23, 1997 (62 FR 3464): This action corrected the effective date and other inadvertent typographical and administrative errors in the December 19, 1996 final rule. The effective date was revised to February 17, 1997, which was 60 days after the December 19, 1996 publication date, as required by Small Business Regulatory Enforcement Fairness Act. The several other corrections involved correcting the amendatory instructions in the December 19, 1996 rule. The amendatory instruction adding defined terms to the definitions section (76.2) and included terms for which no definition was actually provided or intended to be provided. The incorrectly listed terms were removed from the amendatory instructions. The remaining corrections involved typographical or similar errors in the rule language itself.</p> <p>October 15, 1999 (64 FR 55838): This action defined any boiler subject to the limits starting in 2000, constructed as a cell burner boiler, and converted to the burner configuration of a wall-fired boiler as a cell burner boiler. A cell burner boiler must meet an annual average NO_x emission limit of 0.68 lb/mmBTU.</p>
R307-221-2	Definitions 40 CFR Part 60.751	<p>EPA made several changes throughout 40 CFR Part 60 to clarify the requirements of the designated facility plan for Municipal Solid Waste Landfills since it was incorporated into Utah's rules. However, most of these revisions were to clarify the provisions of the program and did not change the overall approach of the program. The only substantive change relevant to changing the approach of the program was the addition of the methane generation rate constant (k) for geographical areas with low precipitation found in Section 60.754(a)(1); however, we had already included this in our plan. The following is a detailed summary of these changes:</p> <p>June 16, 1998 (63 FR 32751):</p> <ol style="list-style-type: none"> Definitions: <ul style="list-style-type: none"> A definition of "modification" is being added. The definition of "design capacity" is being amended to clarify that the design capacity is determined by the most recent permit issued by the state, local, or tribal agency responsible for regulating the landfill plus any in-place waste not accounted for in that permit. The phrase "construction or operating permit" has also been deleted and substituted with the word "permit." <p>The definition of "closed landfill" and wording in section 60.752(b) are being revised to delete references to section 258.60. This reference is not appropriate for all landfills because some landfills closed prior to the October 1993 effective date of part 258 and are not subject to part 258. Section 60.752(b)(2)(v)(A) is being</p>

		<p>revised for clarification to refer to the definition of "closed landfill" in section 60.751 instead of the requirements of section 258.60.</p> <p>The definition of "interior well" is being revised to clarify that an interior well is located inside the perimeter of the landfilled waste.</p> <p>The definition of "radii of influence" is being added parenthetically in section 60.759(a)(3)(ii) for clarification. This definition makes it clear that the radii of influence is the distance from the well center to a point in the landfill where the pressure gradient applied by the blower or compressor approaches zero.</p> <p>2. Designation of Affected Facility Section 60.750(a) of subpart WWW is being revised to clarify which landfills are subject to the NSPS. The words "or began accepting waste" have been deleted.</p> <p>A definition for "modification" is being added to subpart WWW, and "reconstruction" is described in section 60.15 of the NSPS General Provisions. Section 60.750(b) of subpart WWW is being revised to clarify that authority for test methods are retained by the Administrator and shall not be transferred to the state.</p> <p>The wording "or" in several places in section 60.752 has been changed to "and" to clarify that if a landfill design capacity is less than either 2.5 million Mg or 2.5 million m³, the landfill is exempt from all provisions except the design capacity report; whereas if the capacity is equal to or greater than 2.5 million Mg and 2.5 million m³, the additional requirements of the rule apply.</p> <p>3. Compliance Dates The compliance time in section 60.752(b)(2)(ii) is being revised to make it clear that landfills have 30 months to install a collection and control system once the landfill becomes affected (i.e., the annual report shows NMOC emissions equal to or greater than 50 Mg/yr).</p> <p>Section 60.755(b) is being revised to clarify that an affected landfill must install each well no later than 60 days after the date on which the initial solid waste has been in place (1) for five years or more if the area is active or (2) two years or more if the area is closed or at final grade. The only change is to specify "no later than 60 days after" instead of "within 60 days."</p> <p>4. Clarification of Title V Permitting Requirements The paragraphs on part 70 permitting requirements are being revised to refer to both parts 70 and 71. Sentences have been added to section 60.752 and section 60.32c(c) to clarify the date the landfill becomes subject to title V.</p>
--	--	--

		<p>The permit provisions originally included as sentences within paragraphs (a) and (b) of section 60.752 have been moved to separate paragraphs (c) and (d) so that the detailed permit provisions are in one location. The wording has also been revised to clarify that landfills smaller than 2.5 million Mg or 2.5 million m³ do not require a part 70 or part 71 operating permit unless they are subject to part 70 or part 71 for some other reason.</p> <p>Section 60.752(d) (formerly the last sentence in section 60.752(b)) is being revised. The phrase “if the landfill is not otherwise subject to the requirements of either part 70 or 71” has been added.</p> <p>Subpart Cc is being amended by adding paragraphs (c) and (d) to section 60.32c. These paragraphs, which cover when existing MSW landfills require part 70 or 71 operating permits, were excluded from the promulgated emission guidelines through an oversight. Part 70 permit provisions were included in the NSPS, but the Emission Guidelines inadvertently did not reference this section of the NSPS.</p> <p>5. Equations</p> <p>Section 60.754(a)(1) is being revised to clarify that both the equation in section 60.754(a)(1)(i) and the equation in section 60.754(a)(1)(ii) may be used when the actual year-to-year solid waste acceptance rate is known for only part of the life of the landfill. This is the technically correct way to calculate emissions and was the intent of the rule.</p> <p>Section 60.754(a)(1) is being amended by the addition of the methane generation rate constant (k) for geographical areas with low precipitation. A k value of 0.02 per year is provided for the tier 1 calculation for landfills located in geographical areas with a thirty year annual average precipitation of less than 25 inches, as measured at the nearest representative official meteorologic site.</p> <p>Sections 60.754(a)(1)(i) and (ii) are also being revised to clarify that only documentation of the nature and amount of nondegradable waste needs to be maintained when subtracting the mass of nondegradable waste from the total mass of waste when calculating the NMOC emission rate. The previous language specified that the documentation provisions of section 60.758(d)(2) were to be followed; however, these provisions are related to segregated areas within the landfill excluded from collection pursuant to section 60.759(a)(3)(i) or (ii) because asbestos or other nondegradable wastes were disposed of in those areas or because the area is nonproductive. For the purposes of estimating emissions, only documentation of the nature and amount of nondegradable waste needs to be maintained to justify the subtraction of the mass of nondegradable waste.</p> <p>6. Test Methods and Procedures</p> <p>Section 60.754(a)(4)(ii) is revised to clarify that the site-specific methane generation rate constant is calculated only once and that this value is to be used in all subsequent annual NMOC emission rate calculations.</p>
--	--	--

		<p>Section 60.752(b)(2)(iii)(B) is being revised to clarify that the initial performance test required under section 60.8 must be completed no later than 180 days after the initial startup of the approved control system. The promulgated regulation already required under section 60.757(f) that the initial performance test report must be submitted within 180 days of start-up of the collection system. This is being reiterated in section 60.752(b)(2)(iii)(B) for clarification.</p> <p>Section 60.759(a)(3)(ii), which required the use of the values of k and CNMOC determined by field testing, if performed to determine the NMOC emission rate or radii of influence, is being revised to also refer to alternative means for determining k or CNMOC allowed by section 60.754(a)(5). The reference to using Lo values from testing is deleted because it was incorrect.</p> <p>7. Prevention of Significant Deterioration Determination Section 60.754(c) is being revised to clarify that the intent of this provision was to establish the method by which prevention of significant deterioration determinations should be made, not to require a PSD determination.</p> <p>8. Monitoring Section 60.756(a) is being revised to clarify that a temperature measuring device does not need to be permanently installed at each wellhead.</p> <p>Section 60.756(b)(2) is also being revised to clarify that the device for monitoring gas flow need only record the flow or bypass, not necessarily measure the rate at which gas is flowing to the control device.</p> <p>9. Compliance Provisions Section 60.755(a)(3) is being revised to allow an alternative timeline to be proposed for correcting an exceedance in collection header pressure at each well. Consistent with section 60.755(c)(4)(v), a sentence is being added to sections 60.755(a)(3) and 60.755(a)(5) to allow an alternate timeline to be proposed to the Administrator for correcting an exceedance. This revision makes the sections consistent.</p> <p>Section 60.755(c)(1) is being revised slightly to indicate that surface monitoring of methane shall be performed along the entire perimeter of the collection area and along a pattern that traverses the landfill at 30-meter intervals. This change makes the wording consistent with other sections of the rule (e.g., section 60.753(d)).</p> <p>10. Recordkeeping and Reporting Sections 60.757(a)(1) and (b)(1)(i) are being revised to clarify that subject landfills that commenced construction, modification, or reconstruction after May 30, 1991 (date of proposal) but before the date of promulgation had until June 10, 1996 (90 days from the promulgation date) to submit an initial design capacity report and an initial NMOC emission rate report to the Administrator.</p>
--	--	--

		<p>Also paragraphs (a)(1)(i) and (ii) in the promulgated rule were somewhat repetitive and contradictory. Paragraph (a)(1)(iii) reflected an unrealistic scenario in that this date would always occur later than the date in paragraphs (a)(1)(i) and (ii). For this reason, the previous paragraph (a)(1)(iii) was unnecessary and confusing. Therefore, that paragraph has been deleted, and paragraphs (a)(1)(i) and (ii) have been revised to state that the report is due on June 10, 1996 or within 90 days after the date of commencement of construction, modification, or reconstruction, depending on when the construction, modification, or reconstruction commenced.</p> <p>The wording of section 60.757(a)(2)(ii) is being revised to require calculation of design capacity submitted as part of the design capacity report to include "relevant parameters" rather than the specific list of parameters in the promulgated rule. Some of the previously listed parameters (e.g., compaction practices) would not apply to landfills that calculate design capacity on a volumetric rather than mass basis. Other parameters that were not listed will be needed to perform the calculation in some cases.</p> <p>The wording of section 60.757(a)(3), which requires amended design capacity reports, is being revised for clarity and consistency with the definitions of modification and design capacity discussed under I.A. It also clarifies that a report is required only if capacity increases above 2.5 million Mg and 2.5 million m³.</p> <p>Several paragraphs in section 60.758 are being revised to clarify that the recordkeeping requirements in paragraphs (b), (c), (d), and (e) do not apply if an alternative to the operational standards, test methods, procedures, compliance measures, monitoring, or reporting provisions has been submitted with the design plan and approved by the Administrator.</p> <p>11. Cross-Referencing and Typographical Errors Errors in cross-referencing one section to another within subpart WWW are being corrected. Typographical errors are also being corrected.</p> <p>12. Corrections to Promulgation Preamble Tables 3 and 5 in the promulgation preamble contained typographical errors. The units for the small size cutoff (column 1) are stated to be in millions of megagrams (millions Mg); however, the values presented are actually in megagrams.</p>
R307-221-3	40 CFR 60.752 through 60.759, including Appendix A	<p>June 16, 1998 (63 FR 32751): See above for description of changes.</p> <p>April 10, 2000 (65 FR 18908): EPA corrected several typographical and formatting errors throughout Part 60. 754 through 759.</p> <p>October 17, 2000 (65 FR 61778): A revision was made to Section 6.6 of Method 21 of Part 60 to clarify the VOC monitoring instrument specifications. The requirement for the instrument to be intrinsically safe for Classes 1 and 2, Division 1 conditions has been amended to require it to be intrinsically safe for Class 1 and/or Class 2, Division 1</p>

		conditions, as appropriate. The performance test provisions of § 60.754(d) for determining control device efficiency when combusting landfill gas were amended to allow the use of Method 25 as an alternative to Methods 18 and 25C. The tester has the option of using either Method 18, 25, or 25C in this case. These amendments were not published in the proposed rule. September 21, 2006 (71 FR 55127): Municipal Solid Waste Landfills (Subpart WWW) In § 60.752(b)(2)(iii)(A) of the municipal solid waste landfill NSPS, open flares are required to comply with the general flare provisions of § 60.18. This amendment makes Method 3C the required test method for methane and removes the requirement to measure hydrogen by ASTM D1946.
R307-221-4	Section 40 CFR Part 60.18	Oct. 17, 2000(65 FR 61752): See above for description of changes.
R307-222-2	40 CFR 60.31e	No Changes
R307-222-2	40 CFR 60.51c	No Changes
R307-222-3	40 CFR 60.52c(b), 40 CFR 60.53c, 40 CFR 60.55c, 40 CFR 60.58c(b) excluding (b)(2)(ii) and (b)(7), and 40 CFR 60.58c(c) through (f)	No Changes
r307-222-4	Table 1 in 40 CFR Part 60, Subpart Ce, 40 CFR 60.57c, and 40 CFR 60.56c excluding 56c(b)(12) and 56c(c)(3)	Part 60.56c October 17, 2000 (65 FR 61778): This action added two addition reference methods ("3B" and "26A") to 40 CFR 60.56c.
r307-222-5(2)	Table 2 in 40 CFR Part 60, Subpart Ce	No Changes
r307-222-5(3)	40 CFR 60.36e(a)(1) and (a)(2)	No Changes
r307-222-5(4)	testing	No Changes

Summary Table

	requirements of 40 CFR 60.37e(b)(1) through (b)(5)	
r307-222-5(5)	40 CFR 60.37e(d)(1) through (d)(3)	No Changes
r307-222-5(6)	40 CFR 60.38e(b)(1) and (b)(2)	No Changes
r307-223-1(2)	in 40 CFR 60.1555(a) through (k)	No Changes
r307-223-2(1)	40 CFR 60.1940, Equations found in 40 CFR 60.1935	No Changes
r307-223-2(2)		No Changes
r307-223-3(1)	40 CFR 60.1540 and 60.1585 through 60.1905, and with the requirements and schedules set forth in Tables 2 through 8 that are found following 40 CFR 60.1940 for operator training and certification	No Changes
r307-224-2	40 CFR Part 60, subpart HHHH, Sections 60.4101 through 60.4124; (b) Sections 60.4142 paragraph (c)(2) through paragraph (c)(4); (c) Sections	No Changes

r307-310-2	60.4150 through 60.4176. definitions contained in 40 CFR 93.101	There have been four revisions to Part 93 since it was incorporated into Utah's rules: August 6, 2002, July 1, 2004, May 6, 2005 and March 10, 2006. These changes to the federal regulation affect the underlying transportation conformity process, but they do not affect the purpose and implementation of R307-310 that is focused on the conformity budget in the PM ₁₀ SIP for Salt Lake County. In addition, the changes to Part 93 were considered during the adoption of Part XII of the SIP, <i>Transportation Conformity Consultation</i> that was adopted by the Board on May 2, 2007. Therefore, those changes are not described in detail here.
R307-417-1	40 CFR Part 72	<p>May 13, 1999 (64 FR 25842): This action revised certain provisions in the regulations concerning the deduction of allowances for determining compliance. The revisions improved the operation of the Allowance Tracking System and the allowance market generally, while still preserving the Act's environmental goals. This action allowed excess emissions to be reduced at a unit by allowing deductions of up to a certain number of allowances for that unit from the allowance accounts of other units at the same source that had unused allowances. This revision included a formula for calculating the allowance deductions allowed from other units' accounts. This revision allowed the authorized account representative to specify, within 15 days of receiving notice from the Agency of a unit's failure to hold sufficient allowances, the serial numbers of the allowances to deduct and the compliance subaccounts from which to deduct those allowances.</p> <p>May 26, 1999 (64 FR 28588): This revision involved the following matters: (1) revised definitions of gas-fired, oil-fired, and peaking unit to allow for changes in the unit fuel usage and/or operation; (2) revised the applicability provisions in part 72 by making a minor wording correction; (3) added new QA/QC requirements for quantifying stack gas moisture content; (4) clarified the certification and recertification process; (5) revised substitute data requirements for CO₂ heat input and moisture; (6) revised the petition provisions for alternatives to part 75 requirements; (7) clarified the span and range requirement; (8) clarified the general QA/QC requirement; (9) added calibration error test requirements; (10) added linearity test requirement; (11) added a new flow-to-load QA test for flow monitors; (12) added reductions in and/or clarifications to the RATA and bias test requirements; (13) clarified the procedures for CEM data validation; (14) clarified the SO₂ emission data protocol for gas-fired and oil-fired units; (15) revised the determination of CO₂ emissions under Appendix G; (15) revised the recordkeeping and reporting to reflect the other proposed revisions; (17) revised the traceability protocol for calibration gases, and (18) revised NOx mass emission recordkeeping and reporting provisions, and revised the NOx mass monitoring requirement.</p> <p>Mar. 1, 2001 (66 FR 12978): This action removed the industrial utility-units exemption from the existing rules. Industrial utility units are not affected utility units under title IV of the Act and therefore do not need an exemption from requirements of title IV.</p> <p>May 12, 2005 (70 FR 25334): This action promulgated requirements that are not relevant to Utah.</p> <p>Apr. 28, 2006 (71 FR 25378): This action promulgated requirements for Clean Air Interstate Rule (CAIR), which does not apply to western states.</p> <p>November 15, 2000 (65 FR 69216): This action amends both the Asbestos Worker Protection Rule (WPR) and the</p>
R307-801	40 CFR Part 763	

		<p>Asbestos-in-Schools Rule. The WPR amendment protects State and local government employees from the health risks of exposure to asbestos to the same extent as private sector workers by adopting for these employees the Asbestos Standards of the Occupational Safety and Health Administration (OSHA). The WPR's coverage is extended to State and local government employees who are performing construction work, custodial work, and automotive brake and clutch repair work. This action cross-references the OSHA Asbestos Standards for Construction and for General Industry, so that future amendments to these OSHA standards are directly and equally effective for employees covered by the WPR. This action also amends the Asbestos-in-Schools Rule to provide coverage under the WPR for employees of public local education agencies who perform operations, maintenance and repair activities. The EPA issued this final rule under section 6 of the Toxic Substances Control Act (TSCA).</p> <p>October 13, 2005 (70 FR 59889): This action established the framework by which the EPA will accept electronic reports from regulated entities in satisfaction of certain document submission requirements in EPAs regulations. USEPA will provide public notice when the Agency is ready to receive direct submissions of certain documents from regulated entities in electronic form consistent with this rulemaking via a EPA electronic documents receiving system. This rule does not mandate that regulated entities utilize electronic methods to submit documents in lieu of paper-based submissions. In addition, the EPA did not take final action on electronic recordkeeping requirements. States, tribes, and local governments will be able to seek the EPA approval to accept electronic documents to satisfy reporting requirements under environmental programs that the EPA has delegated, authorized, or approved them to administer. This rule includes performance standards against which a state's, tribe's, or local government's electronic document receiving system will be evaluated before the EPA will approve changes to the delegated, authorized or approved program to provide electronic reporting, and establishes a streamlined process that states, tribes, and local governments can use to seek and obtain such approvals.</p>
r307-840-2	40 CFR 745.63, 40 CFR 745.83, and 40 CFR 745.223.	No Changes
r307-840-3	40 CFR 745.61, 745.65, 745.80, 745.81, 745.82, 745.85, 745.86, 745.88, 745.225(a) through (g) and (i), 745.226 (a) through (h), 745.227, and 745.233	No Changes